

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 89 OF 2007

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Office Notes, Office Memorandum
of Coram, appearance, Court's
orders or directions and
Registrar's orders
.....

Court's or Judge's
orders

Mr. S.S. Dube for the Petitioner.
Mr. R.M. Kadam, A.G. with S.R.
Nargolkar, A.G.P. for Respondent
No.1.
Mr. T.D. Deshmukh for Respondent
No.3.
Mr. A.A. Kumbhakoni, A.A.G. for
Respondent No.2.

**CORAM : J.N. PATEL AND
A.A. SAYED, JJ.**

DATE : 17TH OCTOBER,2007.

P.C. :

. This petition was partly
heard in the morning session.

Thereafter, the learned Counsel
for the petitioner submitted that
the matter be kept in the
afternoon session so that he can
seek further instructions from the
petitioner whether to prosecute
the petition or withdraw the same.

2. In the afternoon session, the
learned Counsel for the petitioner

states that he may be permitted to
withdraw the petition.

3. As primarily, the petition is
based on newspaper report and he
has no other record to
substantiate his contention, we
may permit the petitioner to
withdraw the petition. The sum of
Rs.1,00,000/- deposited in this
Court can be withdrawn by the
petitioner.

4. Before parting with the
order, we may caution the
petitioner that in future, the
petitioner should be careful while
invoking the extra-ordinary
jurisdiction of this Court,
particularly, in the nature of
public interest litigation
challenging the appointments of
high officials / dignitaries and
constititutional authorities.

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5. The petition is permitted to
be withdrawn with liberty to
withdraw the amount.

6. The petition is dismissed as
withdrawn.

J.N. PATEL, J.

A.A. SAYED, J.